IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	
	:	**CRIMINAL ACTION**
v.	:	
	:	
	:	
KHALIL ALLEN	:	**No. 10-620-10**

O R D E R

AND NOW, this 12th day of July, 2012, upon consideration of Defendant's, Khalil Allen, Motion to Suppress,[1] Motion to Exclude Prior Convictions,[2] Motion to Compel Government to Produce 404(b) Evidence,[3] Motion to Exclude Hearsay of Confidential Informant No. 336,[4] Motion for Disclosure of Confidential Informants' Identity,[5] and Motion to Compel Discovery and Early Jencks material.[6] (Doc. No. 196), the Government's Response thereto (Doc. No. 375), and following an evidentiary hearing on

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[1] Defendant's motion to suppress is denied for the reasons set forth in the accompanying memorandum.

[2] Defendant's motion to exclude prior convictions is denied for the reasons set forth in the accompanying memorandum.

[3] The motion is denied on the basis of the Government's representation that it does not intend to present evidence that is extrinsic, instead all of the evidence that the government intends to offer at trial is intrinsic to the charged offenses because the acts and statements directly prove the charged offenses and/or occurred contemporaneously with the charged offenses and facilitated the commission of the offenses. See United States v. Green, 617 F.3d 233, 245 (3d Cir. 2010).

[4] Allen asserts that a recorded conversation on April 6, 2010, between CI336 and Kahlil Allen is unintelligible and seeks to exclude any testimony by ATF agents regarding what CI 336 told them, alleging the same is hearsay. The motion is denied on the basis of the Government's representation that the conversation between CI 336 and Allen is intelligible. A transcript of this recorded conversation will be provided before trial. The Court has previously granted the Government's Motion to Admit Starks Material.

[5] Defendant's motion to exclude prior convictions is denied for the reasons set forth in the accompanying memorandum.

[6] The motion is denied on the basis of the Government's representation that it has and will continue to provide Brady and Giglio material to the Defendants. Additionally, the Government will provide Jencks material in a timely fashion. Therefore, this motion is denied as moot.

Tuesday, May 15, 2012 and Wednesday, May 16, 2012 with all counsel, it is hereby

ORDERED that the motions are **DENIED.**

BY THE COURT:

/s/LAWRENCE F. STENGEL
LAWRENCE F. STENGEL, J.